

VERMONT DEPARTMENT OF HEALTH
Food & Lodging Program
Infectious Disease Section

VERMONT AGENCY OF AGRICULTURE,
FOOD AND MARKETS
Division of Food Safety and Consumer
Protection

FOOD RECALL PROTOCOL

DEFINITION OF FOOD RECALL

A food recall is “a firm’s voluntary removal of food product from trade or consumer channels to protect the public from consuming adulterated or misbranded foods.” A recall may be an alternative to a regulatory agency’s seizure or embargo of adulterated or misbranded products. Although recalls are voluntary, regulatory agencies may oversee recall activities of food establishments and coordinate any actions taken by the firm with the recall. In the case of recalls involving infant formula, FDA does have authority for requiring a firm to recall the infant formula product. (Association of Food and Drug Officials “Guidelines for Administering Food Recalls”, pp. 3-4; 7. March, 2004)

The FDA classifies three types of recalls:

(http://www.fda.gov/oc/po/firmrecalls/recall_defin.html)

Class I recall: a situation in which there is a reasonable probability that the use of or exposure to a violative product will cause serious adverse health consequences or death.

Class II recall: a situation in which use of or exposure to a violative product may cause temporary or medically reversible adverse health consequences or where the probability of serious adverse health consequences is remote.

Class III recall: a situation in which use of or exposure to a violative product is not likely to cause adverse health consequences.

Recalls can be initiated when a product is found to be adulterated or misbranded at the production facility, before any cases of human illness are reported. If the product or an associated product has already reached the market, cases of human illness may be identified through routine or enhanced surveillance.

NOTIFICATION OF FOOD RECALLS

The federal government maintains a website specifically for posting recall information at <http://www.recalls.gov/food.html>. USDA and FDA also post recall notifications on their web sites, and they send out broadcast faxes to regulatory authorities. The Vermont Department

of Health Food and Lodging Program (VDHFL) and Vermont Agency of Agriculture, Food and Markets (VAAFM) typically receive federal recall notifications by fax or email. These will be reviewed as they are received.

STATE OF VERMONT RECALL AUTHORITY

State agencies play an important role in safeguarding the public's health. Those that regulate the food industry play a role in protecting the public from contaminated, adulterated or mislabeled food products.

In the case of a recall initiated by federally-inspected firms, State agencies assist federal regulators in verifying the effectiveness of recalls at the state level. When a Vermont firm or retail establishment initiates a recall, the appropriate state agency verifies the effectiveness of the recall.

VDH – Food & Lodging Program (VDHFL): VDHFL has primary responsibility for recall investigations and effectiveness checks for products produced or sold in Vermont that are not regulated by VAAFM. In addition, VDHFL will assist federal regulators and VAAFM with recall investigations and effectiveness checks as needed.

VDHFL cannot initiate a recall. It can embargo recalled products if a company does not remove these products from the market (18 V.S.A. S 4055, Ch. 82).

Vermont Agency of Agriculture, Food & Markets (VAAFM): VAAFM oversees meat and poultry products, dairy products, shell eggs and maple syrup that are produced or sold in Vermont. VAAFM also has authority over commercial feeds, including pet foods. VAAFM will assist federal regulators and be the primary state agency to conduct recall investigations and effectiveness checks involving these products. VAAFM will assist VDHFL as needed.

VAAFM's Compliance and Enforcement Officer and Food Safety Specialists have the authority to officially detain recalled product found in commerce (6 V.S.A. S 3314, Ch. 204).

VDH – Infectious Disease Epidemiology Section (ID Epi): ID Epi assists federal regulators with recalls by disseminating information to the public, issuing press releases and health alerts, and conducting surveillance for cases of human illness associated with a recalled product.

Note: The effort expended upon recall investigations and effectiveness checks will depend on the implicated product and pathogen (e.g., additional effort for products commonly eaten by infants, children & pregnant women, and products contaminated with highly dangerous pathogens – *Listeria*, *E. coli* O157:H7, botulinum toxin).

RESPONSE TO RECALLS – NOTIFICATIONS

The VHD - Food & Lodging Program shall:

- Decide which agencies and establishments might be impacted by a particular recall of a food under its jurisdiction. VDHFL will maintain a list of current contact information for those agencies and establishments (see Appendix 2);
- Notify VDH sanitarians;
- Consider sending copies of recall notifications or press releases to Town Health Officers for products that are widely available in Vermont.
- Notify agencies/institutions that may be affected by a particular food recall. This may include:
 - Schools
 - Long-term care facilities
 - Hospitals
 - Childcare facilities
 - Prisons
 - Food banks and pantries
- Notify managers at major retail food chains that may be affected by a particular food recall
- Determine the need for and scope of recall effectiveness checks

Note: For recalls involving adulterated food products that pose an imminent health risk, additional resources at VDH can be mobilized. This includes ID Epi staff and Office of Local Health staff. If necessary, 211 can be used to handle calls from the public, and the Health Operations Center can be activated.

The Vermont Agency of Agriculture, Food & Markets shall:

- Decide which agencies and establishments might be impacted by a particular meat, poultry, shell egg or milk recall and maintain a list of current contact information for those agencies and establishments;
- Send an email notification to agencies that may be affected by a particular food recall. This may include:
 - Schools

- Long-term care facilities
- Hospitals
- Childcare facilities
- Prisons
- Food banks and pantries

VDH – Infectious Disease Epidemiology Section shall:

- Send information on food recalls affecting Vermont to District Offices;
- Collaborate with the VDH Communications Office on press releases, as indicated;
- Disseminate Physician Health Alerts as needed;
- Increase surveillance for cases of human illness related to the recalled product;
- Participate in multi-state investigations of illness related to the recalled product;
- Arrange for testing of the recalled product at the VDH Laboratory if testing is indicated.

The Communications Offices of VDH and VAAFM shall:

- Maintain links to the USDA and FDA websites.
 - VAAFM maintains links to USDA and the USDA’s Food Safety Inspection Service (FSIS) websites
 - VDH maintains a link to food recall information on foodsafety.gov
- Issue press releases, as indicated. Coordinate on press releases as required by the recall.

RESPONSE TO RECALLS – EFFECTIVENESS CHECKS

Recalls involving foods primarily regulated by VDHFL:

- VDHFL will get available distribution information from the company, their distributor, or the federal agency that oversees the product.
- VDHFL will conduct effectiveness checks by visiting or calling the establishments.
 - In the case of a national recall where product is found in larger establishments, a sample of smaller establishments will also be contacted to assess recall effectiveness.
 - If appropriate and resources are available, smaller grocery stores, convenience stores, and “mom & pop” type stores will be included in the effectiveness checks.
- VDHFL will provide guidance to establishments about discarding or returning recalled product based on recommendations from FDA or USDA as applicable.

- For recalls involving a Vermont-specific product that is not part of a national recall, VDHFL will develop guidance about discarding/destroying the product. ID Epi and VAAFM will be consulted if appropriate
- As part of the effectiveness checks, VDHFL Sanitarians will document whether product was found at each establishment contacted.
- If effectiveness checks reveal that the product is still in the market, VDHFL will contact the company or the federal regulating agency, the VAAFM (if they have jurisdiction over the product), and the Infectious Disease Section.
- VDHFL will determine when to stop conducting effectiveness checks. If there has been human illness or there is a significant risk for human illness, this decision will be made after consultation with ID Epi. If VAAFM was involved in conducting effectiveness checks, they will be consulted as well.

Recalls involving foods primarily regulated by the VAAFM

- VAAFM will get available distribution information from the company, their distributor, or the federal agency that oversees the product.
- If there is a Class I product recall involving a meat food product that has caused cases of human illness in Vermont, or remains in commerce (and therefore a public health risk) despite the ongoing federal recall system, the VAAFM Meat Inspection Section, with the assistance of other sections in the VAAFM, and the VDHFL, will conduct effectiveness checks at as many potential establishments as possible to ensure product removal from commerce.
- VAAFM will conduct effectiveness checks by visiting or calling the establishments.
 - If appropriate and resources are available, smaller grocery stores, convenience stores, and “mom & pop” type stores will be included in the effectiveness checks.
- VAAFM will provide guidance to establishments about discarding or returning recalled product based on recommendations from the recalling firm.
 - For recalls involving a Vermont-specific product that is not part of a national recall, VAAFM will develop guidance about discarding/destroying the product. ID Epi and VDHFL will be consulted if appropriate
- The results of the effectiveness checks will be documented on VAA-MI-C&E-31E
- VAAFM will determine when to stop conducting effectiveness checks in the state of VT on products they regulate. If there has been human illness or there is a significant risk for human illness, this decision may be made after consultation with ID Epi. If VDHFL was involved in conducting effectiveness checks, they will be consulted as well.

RESPONSE TO RECALLS – COMMUNICATIONS

Food Recall Communication Team

- A Food Recall Communication Team will be activated to facilitate communications among the various state agencies involved when necessary. Circumstances requiring activation include, but are not limited to:
 - there is ongoing illness associated with a food product that is part of a federal or state-initiated Class I recall, despite the recall effort, or
 - a Vermont firm has failed to remove recalled product from commerce, and such product poses an significant health risk to consumers, or
 - a foodborne disease outbreak investigation implicates a product produced in Vermont, or
 - there is an imminent health hazard associated with a common and widely distributed product.
- The Team members could include but are not limited to: the State Veterinarian, the State Epidemiologist for Infectious Diseases, the State Epidemiologist for Environmental Health, the State Public Health Veterinarian, the respective public information officers, or their designees.
- Frequency and methods of communications by the Team will be based upon the situation and will be up to the members of the group.

TERMINATE RECALL

When the recalled food is federally regulated, the federal agency overseeing the recall will determine when the recall is complete. For recalls involving locally produced and distributed products, the agency with regulatory responsibility for the recalled product will decide when to terminate the recall. If human illness has occurred, or there is a significant risk of human illness, this decision will be made after consultation with ID Epi.

GUIDELINES FOR TESTING FOOD SAMPLES AS PART OF THE RECALL RESPONSE

In general, recalled food samples are presumed to be contaminated and will not be tested by the VDH Laboratory. The decision to test a food will be made after discussion among the lead regulatory agency, ID Epi, and the lab.

If the laboratory has the capacity to test for the suspect contaminant, testing may be considered if:

- there is a confirmed human case, the suspect food is available for testing, and testing may provide important information about additional product contamination or recall effectiveness.
- there is no confirmed human illness, but testing retail or processor samples may provide important information about additional product contamination or recall effectiveness.
- requested by FDA, USDA, or VAAFM.

Appendix 1: Government Regulatory Contacts (2010)

Organization	Contact	Title	Phone	Email
FDA				
VT	Kim Langelo	Emergency Response Coordinator	(781) 587-7476	kimberly.langelo@fda.hhs.gov
VT	Doug Fiorentino	State Contract Liaison	781-587-7444	Douglas.Fiorentino@fda.hhs.gov
Northeast	Susan Liner	Recalls and Complaints	781-596-7750	susan.liner@fda.hhs.gov
USDA				
FSIS - Albany	Mary Gessert, DVM	FSIS Recall Coordinator	518-452-6870 ext. 104	mary.gessert@fsis.usda.gov
VDH				
Food & Lodging	Al Burns	PH Supervisory Sanitarian	802-863-7220	al.burns@ahs.state.vt.us
	Elisabeth Wirsing	Food and Lodging Program Chief	802-951-0109	elisabeth.wirsing@ahs.state.vt.us
ID Epidemiology	Erica Berl	Health Surveillance Epidemiologist	802-863-7240	erica.berl@ahs.state.vt.us
	Bradley Tompkins	Foodborne Epidemiologist	802-863-7225	Bradley.tompkins@ahs.state.vt.us
Laboratory	Stella Celotti	Laboratory Director	802-863-7570	stella.celott@ahs.state.vt.us
	Alt: Eunice Froeliger	Microbiology Program Chief	802-863-7629	eunice.froeliger@ahs.state.vt.us
VAAFM				
Food Safety	Kristin Haas, DVM	Director of Food Safety and State Veterinarian	802-828-2426	kristin.haas@state.vt.us
Meat Inspection	Randy Quenneville	Meat Programs Section Chief	802-828-2426	randy.quenneville@state.vt.us
	Kathy McNamara, DVM	Assistant State Veterinarian Meat Inspection Head of Service	802-828-2426	katherine.mcnamara@state.vt.us
Dairy Program	Dan Scruton	Dairy Programs Section Chief	802-828-2433	dan.scruton@state.vt.us
Shell eggs	Henry Marckres	Consumer Protection Section Chief	802-828-2436	henry.marckres@state.vt.us
Maple syrup	Henry Marckres	Consumer Protection Section Chief	802-828-2436	henry.marckres@state.vt.us
Pet food	Cary Giguere		802-828-6531	cary.giguere@state.vt.us

Appendix 2: Food Establishment Contacts (2009)

Organization	Contact	Location	Phone	Email
Distributors/Wholesalers				
Burlington Foodservice	Chris Corron	Colchester, VT	802-655-7595	
US Foodservice		Albany, NY	518-877-8511	
		Peabody, MA	978-977-5100	
Sysco		Albany, NY	518-877-3200	
Black River Produce		N. Springfield, VT	802-886-6200	info@blackriverproduce.com
Upper Valley Produce		W. Lebanon, NH	603-298-7456	info@uppervalleyproduce.com
C&S Wholesale Grocers		Brattleboro, VT	802-257-4371	
Grocery Stores				
Shaws	Erin Palumbo	Boston, MA	(508) 313-3387	erin.palumbo@shaws.com
Price Chopper	Jim Baldwin	Schenectady, NY	518-379-1516	jimbaldwin@pricechopper.com
Hannaford Bros.	Mary Hageman	Scarborough, ME	207-885-3194	mhageman@hannaford.com
VT Grocers' Association	Jim Harrison	Rutland, VT	802-775-5460 ext. 11	jim@vtgrocers.org
Restaurants				
VT Chamber of Commerce	Samantha Kolber	Montpelier, VT	802-262-2114 802-223-3443	skolber@vtchamber.com
Farmer's Markets				
NOFA VT – Farmer's Market Advisor	Sue Johnson	Richmond, VT	802-482-2507	suejohnson@gmavt.net
Food Banks & Shelves				
Vermont Foodbank - Network Relations Mgr	Joe Dauscher	Barre, VT	802-477-4106	jdauscher@vtfoodbank.org
Chittenden Emergency Food Shelf - Director	Rob Meehan	N. Winooski Ave Burlington, VT	802-658-7939 ext. 22	rmeehan@cvoeo.org

Organization	Contact	Location	Phone	Email
Schools				
VT Dept of Education	Laurie Colgan	Montpelier, VT	802-828-5153	laurie.colgan@state.vt.us
Long Term Care Facilities				
Division of Licensing and Protection	Suzanne Leavitt	Waterbury, VT	802-241-2345	Suzanne.Leavitt@ahs.state.vt.us (Please cc Fran Keeler)
	Fran Keeler (alternate contact)	Waterbury, VT	802-241-2345	Frances.Keeler@ahs.state.vt.us
Childcare Facilities				
VT Dept of Children & Families		Waterbury, VT	802-241-3110	
Prisons				
VT Dept of Corrections	Delores Burroughs-Biron, MD	Waterbury, VT	802-241-2380	Delores.Burroughs-Biron@ahs.state.vt.us